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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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February 11, 2003

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

ORIGINAL

Re: *Kodiak Wireless, LLC*
Call Sign: WPOL234
Alaska 2 – Bethel RSA (A2)
CC Docket No. 99-200
Amendment to Petition for Limited Waiver and
Extension of Time

Dear Ms. Dortch:

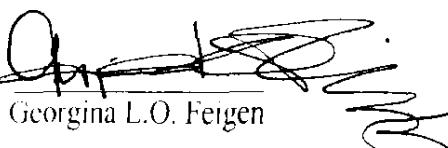
Kodiak Wireless, LLC ("Kodiak"), pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, hereby submits an Amendment to its underlying Petition for Limited Waiver and Extension of Time to implement the capabilities necessary to support the nationwide roaming of customers with ported and pooled numbers. By this Amendment, Kodiak is requesting to *shorten* the amount of time it requested to meet the Commission's requirements, from the end of the second quarter of 2003 to February 28, 2003.

Please contact the undersigned counsel with any questions you may have at (202)783-4141.

Sincerely

Wilkinson Barker Knauer, LLP

By:


Georgina L.O. Feigen

Enclosure

cc: Barry Ohlson, Division Chief, Wireless Telecommunications Bureau, Policy Division
Jared Carlson, Deputy Division Chief, Wireless Telecommunications Bureau, Policy Division
Peter Trachtenberg, Wireless Telecommunications Bureau, Policy Division

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Before the
Federal Communications Commission
Washington, DC

FEB 11 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of)
)
Numbering Resource Optimization) CC Docket No 99-200
)
)

To: Wireless Telecommunications Bureau, Policy Division

**AMENDMENT TO
PETITION FOR LIMITED WAIVER
AND EXTENSION OF TIME**

Kodiak Wireless, LLC ("Kodiak"), pursuant to Section 1.3 of the Commission's rules, 47 C.F.R. § 1.3, hereby amends its Petition for Limited Waiver and Extension of Time ("Petition") which requests a limited waiver of Section 52.31(a)(2) of the Commission's rules, 47 C.F.R. § 52.31(a)(2), requiring carriers to be able to support the nationwide roaming of customers with ported and pooled numbers by November 24, 2002.¹ Kodiak now seeks to shorten the amount of time it originally requested to meet its roaming obligations from the end of the second quarter in 2003, to the end of February 2003.

Kodiak timely filed its Petition with the Wireless Telecommunications Bureau on November 22, 2002.² As a small cellular provider, Kodiak is using its limited resources

¹ 47 C.F.R. § 52.31(a)(2); see also Verizon Wireless' Petition for Partial Forbearance from the Commercial Mobile Radio Services Number Portability Obligation And Telephone Number Portability, WT Docket No. 01-184, CC Docket No. 95-116, Memorandum Opinion and Order, 17 FCC Red. 14972, 14986 (rel. July 26, 2002) ("MO&O").

² Petition for Limited Waiver and Extension of Time by Kodiak Wireless, LLC, CC Docket No. 99-200 (filed November 22, 2002) ("Petition"); See also Wireless Telecommunications Bureau Seeks Comment on Petitions for Extension of the Deadline for Support of Roaming by Wireline End-Users With Ported or

Walt Radio v. FCC, 418 F.2d 1133, 1139 (D.C. Cir. 1969) cert. denied, 409 U.S. 1027 (1972);
47 C.F.R. §§ 13.1925; *Northcast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990);
exists to grant an extension of time to meet the Commission's roaming obligations. See,
§ Please refer to Kodak's Petition for a more detailed discussion of why "good cause"
Pooler Numbers, (C) Document Nos. 99-200, 95-116, WI Document No. 01-184, Public Notice, DA 03-148 (rel.
Jan. 16, 2003).

Currently, Kodak plans to implement this final upload by February 26, 2003.

Commission's requirement to support roaming of the pooled and ported numbers.

Software upgrade is necessary in order for Kodak to become fully compliant with the
and as a result, Kodak is able to accelerate its timetable. As of this filing, only one more
vendors and benefiting from unexpected quick deliveries, Kodak re-doubled its efforts
customers with pooled and ported numbers. Experience full cooperation from its
hardware and software platforms necessary to become capable of supporting roaming of
Since filing its Petition, however, Kodak has been able to obtain both the
Commission's rules.

roaming obligations pursuant to Section 52.31(a)(2), 47 C.F.R. § 52.31(a)(2), of the
the Commission granted the company until the end of the second quarter in 2003 to meet its
vendors and delivers to its remote island location, Kodak requested in its Petition that
was not possible. Given the uncertainties which surround Kodak's priorities with
support the roaming of pooled and ported numbers by the November 24, 2002 deadline
Kodak's best efforts, successful completion of the technical requirements needed to
maintaining its system operations and providing reliable service to its customers. Despite
in a responsible manner in order to meet its ongoing regulatory obligations while

Kodiak hereby seeks to amend its original Petition ~~as~~ set forth herein and respectfully *to shorten the amount of* time to become compliant, and requests that it be granted a temporary waiver of Section 52.31(a)(2) of the rules and ~~an~~ extension of time until February 28,2003 ~~to~~ finalize its installation of the necessary upgrades to ~~its~~ switch in order to support nationwide roaming of ported and pooled numbers.

Respectfully submitted,

Kodiak Wireless, LLC

By:



Jeff Remckson
General Manager
Kodiak Wireless, LLC

February 11,2003